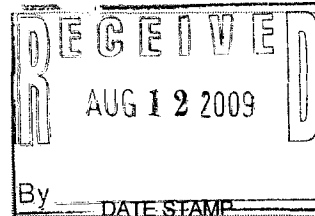




**US Army Corps  
Of Engineers (Portland District)**

**Joint Permit  
Application Form**



09-15 0014 FK

Corps Action ID Number *NWP-2067-195* AGENCIES WILL ASSIGN NUMBERS  
Oregon Department of State Lands No

**SEND ONE SIGNED COPY OF YOUR APPLICATION TO EACH AGENCY**

<b>US Army Corps of Engineers:</b>	<b>DSL - West of the Cascades:</b>	<b>DSL - East of the Cascades:</b>	<b>Send DSL Application Fees to:</b>
District Engineer	State of Oregon	State of Oregon	State of Oregon
ATTN: CENWP-OD-GPPO	Department of State Lands	Department of State Lands	Department of State Lands
Box 2946	775 Summer Street, Suite 100	1645 NE Forbes Road, Suite 112	PO Box 4395, Unit 18
Portland, OR 97208-2946	Salem, OR 97301-1279	Bend, Oregon 97701	Portland, OR 97208-4395
503-808-4373	503-986-5200	541-388-6112	(Attach a copy of the first page of the application)

**(1) APPLICANT INFORMATION**

<b>Applicant</b>	<i>Vigor Industrial LLC</i>	<b>Business Phone #</b>	<i>(503) 247-1545</i>
<b>Name and Address</b>	<i>5555 N. Channel Ave</i>	<b>Home Phone #</b>	
	<i>Portland, OR 97217</i>	<b>Fax #</b>	<i>(503) 247-6050</i>
		<b>Email</b>	<i>gcandill@casgen.com</i>

<b>Authorized Agent</b>	<b>Business Phone #</b>
<b>Name and Address</b>	<b>Home Phone #</b>
<b>Check one</b>	<b>Fax #</b>
Consultant <input type="checkbox"/>	<b>Email</b>
Contractor <input type="checkbox"/>	

<b>Property Owner</b>	<b>Business Phone #</b>
<b>Name and Address</b>	<b>Home Phone #</b>
<b>If different from above<sup>1</sup></b>	<b>Fax #</b>
	<b>Email</b>

**(2) PROJECT LOCATION**

<b>Street, Road or Other Descriptive Location</b>		<b>Legal Description (attach <i>tax lot map</i>*)</b>			
<i>Portland Shipyard Swan Island 5555 N. Channel Ave</i>		<b>Township</b>	<b>Range</b>	<b>Section</b>	<b>Quarter/Quarter</b>
		<i>IN</i>	<i>1E</i>	<i>17</i>	<i>SE</i>
<b>In or near (City or Town)</b>	<b>County</b>	<b>Tax Map #</b>	<b>Tax Lot #<sup>2</sup></b>		
<i>Portland</i>	<i>Multnomah</i>	<i>IN1E17</i>	<i>IN1E18D</i>		
<b>Wetland/Waterway (pick one)</b>	<b>River Mile (if known)</b>	<b>Latitude (in DD.DDDD format)</b>	<b>Longitude (in DD.DDDD format)</b>		
<i>Swan Island Lagoon</i>	<i>8.2</i>	<i>45.5662</i>	<i>-122.7218</i>		
<b>Directions to the site</b>					
<i>West End Swan Is</i>					

<sup>1</sup> If applicant is not the property owner, permission to conduct the work must be attached.

<sup>2</sup> Attach a copy of all tax maps with the project area highlighted.

• *Italicized areas are not required by the Corps for a complete application, but may be necessary prior to final permit decision by the Corps.*

### (3) PROPOSED PROJECT INFORMATION

Type: Fill ☐ Excavation (removal) ☒ In-Water Structure ☐ Maintain/Repair an Existing Structure ☐

Brief Description: *Remove 81,000 cu. yds silt from dry dock 1 & 3 basins*

#### Fill

Riprap ☐ Rock ☐ Gravel ☐ Organics ☐ Sand ☐ Silt ☐ Clay ☐ Other: ☐

Wetlands	Permanent (cy)	Temporary (cy)				Total cubic yards for project (including outside OHW/wetlands)	
	Impact Area in Acres	Dimensions (feet)					
	L'		W'		H'		
Waters below OHW	Permanent (cy)	Temporary (cy)				Total cubic yards for project (including outside OHW/wetlands)	
	Impact Area in Acres	Dimensions (feet)					
	L'		W'		H'		

#### Removal

Wetlands	Permanent (cy)	Temporary (cy)				Total cubic yards for project (including outside OHW/wetlands)	
	Impact Area in Acres	Dimensions (feet)					
	L'		W'		H'		
Waters below OHW	Permanent (cy)	Temporary (cy)				Total cubic yards for project (including outside OHW/wetlands)	<i>81,000</i>
	<i>81,000</i>	<i>See Attached</i>					
	Impact Area in Acres	Dimensions (feet)					
	<i>6.42</i>	L'		W'		H'	

Total acres of construction related ground disturbance (If 1 acre or more a 1200-C permit may be required from DEQ)

Is the disposal area upland? Yes ☒ No ☐ Impervious surface created? 0<1 acre ☐ 0>1 acre? ☐

Are you aware of any state or federally listed species on the project site?

Are you aware of any Cultural/Historic Resources on the project site?

Is the project site within a national Wild & Scenic River?

Is the project site within a State Scenic State Scenic Waterway?\*

Yes	No
	X
	X
	X
	X

If yes, please explain in the project description (in block 4)

### (4) PROPOSED PROJECT PURPOSE AND DESCRIPTION

#### Purpose and Need:

*Provide a description of the public, social, economic, or environmental benefits of the project along with any supporting formal actions of a public body (e.g. city or county government), as appropriate. \**

*Project will remove silt from dry dock basins carried in and deposited by Willamette river. Dredging will return dry dock basins to their original depths, allowing full operation of dry docks. Dry docks are critical to Vigor's ship repair and maintenance business.*

**Project Description:** See Sampling and Analysis Plan (May 2009)

Please describe in detail the proposed removal and fill activities, including the following information:

- Volumes and acreages of all fill and removal activities in waterway or wetland separately
- Permanent and temporary impacts
- Types of materials (e.g., gravel, silt, clay, etc.)
- How the project will be accomplished (i.e., describe construction methods, equipment, site access)
- Describe any changes that the project may make to the hydraulic and hydrologic characteristics (e.g., general direction of stream and surface water flow, estimated winter and summer flow volumes.) of the waters of the state, and an explanation of measures taken to avoid or minimize any adverse effects of those changes.
- Is any of the work already complete?    Yes    ☐    No    ☒    If yes, please describe the completed work.

*In addition, for fish habitat or wetland restoration or enhancement activities, complete the information requested in supplemental Fish Habitat or Wetland Restoration and Enhancement form.*

### Project Drawings

State the number of project drawing sheets included with this application: 12 (See SAP)

A complete application must include a location map, site plan, cross-section drawings and recent aerial photo as follows and as applicable to the project:

- **Location map** (must be legible with street names)
  - Site plan including;
  - Entire project site and activity areas
  - Existing and proposed contours
  - Location of ordinary high water, wetland boundaries or other jurisdictional boundaries
  - Identification of temporary and permanent impact areas within waterways or wetlands
  - Map scale or dimensions and north arrow
  - Location of staging areas
  - Location of construction access
  - Location of cross section(s), as applicable
  - Location of mitigation area, if applicable
- **Cross section drawing(s)** including;
  - Existing and proposed elevations
  - Identification of temporary and permanent impact areas within waterways or wetlands
  - Ordinary high water and/or wetland boundary or other jurisdictional boundaries
  - Map scale or dimensions
- **Recent Aerial photo** (1:200, or if not available for your site, the highest resolution available)

Will any construction debris, runoff, etc., enter a wetland or waterway?    Yes    ☐    No    ☒

If yes, describe the type of discharge and show the discharge location on the site plan.

Estimated project start date:

July, 2010

Estimated project completion date:

Sept. 2010

## (5) PROJECT IMPACTS AND ALTERNATIVES

### Alternatives Analysis:

Describe alternative sites and project designs that were considered to avoid or minimize impacts to the waterway or wetland. (Include alternative design(s) with less impact and reasons why the alternative(s) were not chosen. Reference OAR 141-085-0565 (1) through (6) for more information\*).

No alternatives possible. Maintenance dredging of existing basins will have the least impact on the lagoon.

### Measures to Minimize Impacts

Describe what measures you will use (before and after construction) to minimize impacts to the waterway or wetland. These may include but are not limited to the following:

- For projects with ground disturbance include an erosion control plan or description of other best management practices (BMP's) as appropriate. (For more information on erosion control practices see DEQ's Oregon Sediment and Erosion Control Manual)
- For work in waterways where fish or flowing water are likely to be present, discuss how the work area will be isolated from the flowing water.
- If native migratory fish are present (or were historically present) and you are installing, replacing or abandoning a culvert or other potential obstruction to fish passage, complete and attach a statement of how the Fish Passage Requirements, set by the Oregon Department of Fish and Wildlife will be met.

Dry dock basins are within the Swan Island lagoon - no flowing water. Dredging will be accomplished with a cable arm bucket and material placed on a contained flat deck barge. Dredged material will be disposed of in an upland landfill.

## Description of resources in project area

Ocean ☐ Estuary ☐ River ☐ Lake ☐ Stream ☐ Freshwater Wetland ☐

Describe the existing **physical and biological characteristics** of the wetland/waterway site by area and type of resource  
(Use separate sheets and photos, if necessary).

For **wetlands**, include, as applicable:

- *Cowardin and Hydrogeomorphic (HGM) wetland class(s)\**
- *Dominant plant species by layer (herb, shrub, tree)\**
- Whether the wetland is freshwater or tidal
- *Assessment of the functional attributes of the wetland to be impacted\**
- Identify any vernal pools, bogs, fens, mature forested wetland, seasonal mudflats, or native wet prairies in or near the project area.)

For **waterways**, include a description of, as applicable:

- *Channel and bank conditions\**
- *Type and condition of riparian vegetation\**
- *Channel morphology (i.e., structure and shape)\**
- *Stream substrate\**
- Fish and wildlife (type, abundance, period of use, significance of site)
- *General hydrological conditions (e.g. stream flow, seasonal fluctuations)\**

BA to follow

Describe the existing **navigation, fishing and recreational use** of the waterway or wetland.\*

Dredging will be on submerged land owned by Vigor Industrial. Ship repair/maintenance is only use.

**Site Restoration/Rehabilitation**

- For temporary disturbance of soils and/or vegetation in waterways, wetlands or riparian areas, please discuss how you will restore the site after construction including any monitoring, if necessary\*

NA

**Mitigation**

Describe the reasonably expected adverse effects of the development of this project and how the effects will be mitigated.\*

- For permanent impact to wetlands, complete and attach a Compensatory Wetland Mitigation (CWM) Plan. (See OAR 141-085-0705 for plan requirements)\*
- For permanent impact to waters other than wetlands, complete and attach a Compensatory Mitigation (CM) plan (See OAR 141-085-0765 for plan requirements)\*
- For permanent impact to estuarine wetlands, you must submit a CWM plan.\*

No adverse effects anticipated

**Mitigation Location Information (Fill out only when mitigation is proposed or required)**

Proposed  
mitigation  
(Check all that apply):

- ☐ Onsite Mitigation
- ☐ Offsite Mitigation
- ☐ Mitigation Bank
- ☐ Payment to Provide

Type of mitigation:

- ☐ Wetland Mitigation
- ☐ Mitigation for impacts to other waters
- ☐ Mitigation for impacts to navigation, fishing, or recreation

Street, Road or Other Descriptive Location

Legal Description (attach tax lot map\*)

Quarter/Quarter

Section

Township

Range

In or near (City or Town)

County

Tax Map #

Tax Lot #<sup>3</sup>

Wetland/Waterway (pick one)

River Mile (if known)

Latitude (in DD.DDDD format)

Longitude (in DD.DDDD format)

Name of waterway/watershed/HUC

Name of mitigation bank (if applicable)

<sup>3</sup> Attach a copy of all tax maps with the project area highlighted.

• *Italicized areas are not required by the Corps for a complete application, but may be necessary prior to final permit decision by the Corps.*

## (6) ADDITIONAL INFORMATION

Adjoining Property Owners and Their Address and Phone Numbers (*if more than 5, attach printed labels\**)

Has the proposed activity or any related activity received the attention of the Corps of Engineers or the Department of State Lands in the past, e.g., wetland delineation, violation, permit, lease request, etc.?

Yes ☒ No ☐

If yes, what identification number(s) were assigned by the respective agencies:

Corps #

94-00619

State of Oregon #

Maintenance Dredging Permit

Has a wetland delineation been completed for this site?

Yes ☐ No ☒

If yes by whom? \*

Has the wetland delineation been approved by DSL or the COE?

Yes ☐ No ☐

If yes, attach a concurrence letter. \*

- *Italicized areas are not required by the Corps for a complete application, but may be necessary prior to final permit decision by the Corps.*

**(7) CITY/COUNTY PLANNING DEPARTMENT AFFIDAVIT**  
(TO BE COMPLETED BY LOCAL PLANNING OFFICIAL) \*

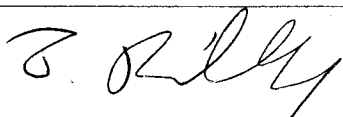
I have reviewed the project outlined in this application and have determined that:

- ☐ This project is not regulated by the comprehensive plan and land use regulations.
- ☒ This project is consistent with the comprehensive plan and land use regulations.
- ☐ This project will be consistent with the comprehensive plan and land use regulations when the following local approval(s) are obtained.
- ☐ Conditional Use Approval
- ☐ Development Permit
- ☐ Other

This project is not consistent with the comprehensive plan. Consistency requires a

- ☐ Plan Amendment
- ☐ Zone Change
- ☐ Other

An application has ☐ has not ☐ been filed for local approvals checked above.

Local planning official name (print)	Signature	Title	City / County	Date
Jason Richling		City Planner	Portland	8/11/09

Comments:

In-water work only, no upland storage of spoils on-site. Dredging, channel maintenance, and the removal of gravel from rivers is exempt from Gateway Review per 33.440.320.H.

**(8) COASTAL ZONE CERTIFICATION \***

If the proposed activity described in your permit application is within the Oregon coastal zone, the following certification is required before your application can be processed. A public notice will be issued with the certification statement, which will be forwarded to the Oregon Department of Land Conservation and Development for its concurrence or objection. For additional information on the Oregon Coastal Zone Management Program, contact the department at 635 Capitol Street NE, Suite 150, Salem, Oregon 97301 or call 503-373-0050.

**CERTIFICATION STATEMENT**

I certify that, to the best of my knowledge and belief, the proposed activity described in this application complies with the approved Oregon Coastal Zone Management Program and will be completed in a manner consistent with the program.

Print /Type Name	Title
Applicant Signature	Date




## (9) SIGNATURES FOR JOINT APPLICATION

Application is hereby made for the activities described herein. I certify that I am familiar with the information contained in the application, and, to the best of my knowledge and belief, this information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. By signing this application I consent to allow Corps or Dept. of State Lands staff to enter into the above-described property to inspect the project location and to determine compliance with an authorization, if granted. I hereby authorize the person identified in the authorized agent block below to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

I understand that the granting of other permits by local, county, state or federal agencies does not release me from the requirement of obtaining the permits requested before commencing the project. *I understand that payment of the required state processing fee does not guarantee permit issuance. The fee for the state application must accompany the application for completeness.*

Amount enclosed	\$
-----------------	----

Print /Type Name	Title	Print /Type Name	Title
Gene Caudill	Project Mgr		
Applicant Signature	Date	Authorized Agent Signature	Date
	8-10-09		

**Landowner signatures:** *For projects and /or mitigation work proposed on land not owned by the applicant, including state-owned submerged and submersible lands, please provide signatures below. A signature by the Department of State Lands for activities proposed on state-owned submerged/submersible lands only grants the applicant consent to apply for authorization to conduct removal/fill activities on such lands. This signature for activities on state-owned submerged and submersible lands grants no other authority, express or implied.*

Print /Type Name	Title	Print /Type Name	Title
Property Owner Signature	Date	Mitigation Property Owner Signature	Date

